



IPW

#431382 WEMMH PTO/SB/21 (09-04)

Approved for use through 7/31/2006, OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/783,910
Filing Date	February 20, 2004
First Named Inventor	Tamisha Clark
Art Unit	1774
Examiner Name	J. Gray
Attorney Docket Number	3010-1091

Total Number of Pages in this Submission

10

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached Credit Card Payment Form <input type="checkbox"/> Amendment Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (Cover Letter – 4 Pgs.; SB/08a – 1 Pg.; SB/08b – 1 Pg.) <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1 Foreign Reference; 2 Non-Patent Literature References
<b>Remarks</b>		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Woodard, Emhardt, Moriarty, McNett & Henry LLP		
Signature			
Printed Name	Kenneth A. Gandy		
Date	December 26, 2006	Reg. No.	33,386

- ☒ I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as **first class mail** in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
- ☐ I hereby certify that this correspondence is being deposited with the United States Postal Service as "**Express Mail Post Office to Addressee**" in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Mailing Label No. \_\_\_\_\_, on the date indicated below.
- ☐ I hereby certify that this correspondence is being **facsimile transmitted** to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on the date indicated below.

Kenneth A. Gandy  
Typed/printed name of person signing this certificate

Signature

Date

December 26, 2006

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

## Complete if Known

**FEE TRANSMITTAL**  
**For FY 2006**

Application Number	10/783,910
Filing Date	February 20, 2004
First Named Inventor	Tamisha Clark
Examiner Name	J. Gray
Art Unit	1774
Attorney Docket No.	3010-1091

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$180.00)

**METHOD OF PAYMENT (check all that apply)**

- ☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_
- ☒ Deposit Account Deposit Account number: 23-3030 Deposit Account Name: Woodard, Emhardt, Moriarty, McNett & Henry LLP
- For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
- ☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
- ☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**Fee Description

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50
Each independent claim over 3 (including Reissues)	200
Multiple dependent claims	360

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
-20 or HP	=-20	x	=0

HP = highest number of total claims paid for, if greater than 20

<u>Independent Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
-3 or HP	=-3	x	=0

HP = highest number of independent claims paid for, if greater than 3

<u>Multiple Dependent Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
	x	=0

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 C.F.R. 1.16(s).

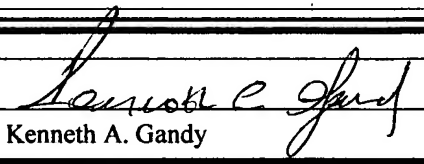
<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
-100	=	/50 =	(round up to a whole number) x	0

**4. OTHER FEE(S)**Late Submission of IDS

<u>Fee Paid (\$)</u>
180.00

**SUBMITTED BY**

Signature

Registration No.  
(Attorney/Agent)

33,386

Telephone

(317) 634-3456

Name (Print/Type)

Kenneth A. Gandy

Date

12-26-2006

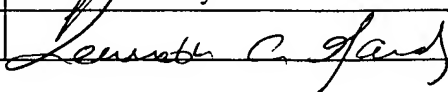
**CERTIFICATE OF MAILING OR TRANSMISSION**

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Name (Print/Type)

Kenneth A. Gandy

Signature



Date

12-26-2006



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: )  
Tamisha Clark et al. ) Before the Examiner  
 ) J. Gray  
 )  
Application No. 10/783,910 ) Group Art Unit  
 ) 1774  
Filed February 20, 2004 )  
 )  
MEDICAL DEVICE WITH ADHERENT ) Confirmation No.  
COATING, AND METHOD FOR ) 7137  
PREPARING SAME )

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

1. List of All Patents, Publications, U.S. Applications, or Other Information

Pursuant to the provisions of 37 CFR 1.56, 1.97, and 1.98, Applicant requests consideration of the references listed on the attached PTO/SB/08 form(s) (commonly referred to as a PTO-1449 form) and/or the additional information identified below.

- ☒ I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as **first class mail** in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
- ☐ I hereby certify that this correspondence is being deposited with the United States Postal Service as "**Express Mail Post Office to Addressee**" in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Mailing Label No. EV US, on the date indicated below.
- ☐ I hereby certify that this correspondence is being **facsimile transmitted** to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on the date indicated below.

Kenneth A. Gandy

Typed/printed name of person signing this certificate

Signature

Date

2. Enclosed Legible Copies

- a. A legible copy of each foreign patent document and publication listed on the PTO/SB/08 form is enclosed,
- ☐ i. except, a copy is not provided for each reference previously cited by or submitted to the Patent Office in prior U.S. Patent Application Serial No. \_\_\_\_\_, filed \_\_\_\_\_ from which the present application claims priority under 35 U.S.C. §120.
- ☐ ii. except, a copy is not provided for each cumulative reference and enclosed reference identified below:
- ☐ b. A copy of the specification and drawings for each cited unpublished U.S. application.
- ☐ c. A copy of a Search Report or Written Opinion from a foreign patent office is also enclosed.
- ☐ d. Consideration of the enclosed additional and/or below discussed information is requested.

3. Concise Explanation of Relevance for Non-English Language Information

For each non-English language reference listed on the attached SB/08 form(s), reference is made to:

- ☐ 3a. an English language translation submitted herewith,
- ☐ 3b. foreign patent office Search Report (in the English language) submitted herewith,
- ☐ 3c. an English language translation of a foreign patent office Search Report submitted herewith,
- ☐ 3d. the concise explanation contained in the present application at page(s) \_\_\_\_,
- ☐ 3e. the concise explanation set forth in the attached English language abstract,
- ☐ 3f. a copy of a related patent publication (in the English language) cited herewith,

Foreign Patent Document	Corresponding English Language Patent Document

☐ 3g. the following concise explanation: \_\_\_\_.

**4. Time for Filing**

☐ 4a. This Information Disclosure Statement is submitted:

- ☐ i. for U.S. national applications or national stage PCT applications (not including CPAs and RCEs), within 3 months of filing or entry into national stage; or
- ☐ ii. for U.S. national applications, national stage PCT applications, CPAs or RCEs, before the first Office Action on the merits,

and thus no certification and/or fee is required.

☒ 4b. This information Disclosure Statement is submitted after three months from the filing date and after the first Office Action on the merits, but prior to the mailing date of a final Office Action or Notice of Allowance, and thus:

- ☐ i. the statement specified in 37 CFR §1.97(e) is provided below, or
- ☒ ii. a fee of \$180.00 (set forth in 37 CFR §1.17(p)) is enclosed.

☐ 4c. This Information Disclosure Statement is submitted after the mailing date of a final Office Action or Notice of Allowance and prior to payment of the issue fee, and thus:

- ☐ i. the statement specified in 37 CFR §1.97(e) is provided below, and a fee of \$ (set forth in 37 CFR §1.17(p)) is enclosed, or
- ☐ ii. a Request for Continued Examination (RCE) and fee of 37 CFR §1.17(e) has been filed.

☐ 4d. This Information Disclosure Statement is submitted after payment of the issue fee, and thus:

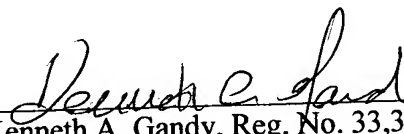
- i. a Petition to Withdraw from Issue pursuant to 37 CFR §1.313(c)(2) has been filed, and
- ii. a Request for Continued Examination (RCE) and fee of 37 CFR §1.17(e) has been filed.

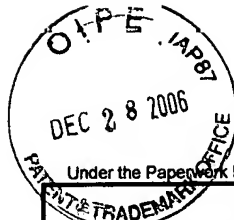
5. Certification- Statement Under 37 CFR 1.97(e)

- ☐ 5a. It is hereby certified that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ 5b. A copy of a dated communication from a foreign patent office which clearly shows the statement is being submitted within three (3) months of the date on the communication is enclosed.
- ☐ 5c. It is hereby certified that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

The filing of this Information Disclosure Statement shall not be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in §1.56(b). It is believed that no additional fees are required. Should any other fee be required, however, please charge such fee to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully submitted,

By   
Kenneth A. Gandy, Reg. No. 33,386  
Woodard, Emhardt, Moriarty, McNett & Henry LLP  
111 Monument Circle, Suite 3700  
Indianapolis, Indiana 46204-5137  
(317) 634-3456



<b>Substitute for form 1449A/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	10/783,910	
			Filing Date	February 20, 2004	
			First Named Inventor	Tamisha Clark	
			Art Unit	1774	
			Examiner Name	J. Gray	
Sheet	1	of	2	Attorney Docket No.	3010-1091

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-3,990,381	11/09/1976	Shepherd et al.	
		US-4,459,318	07/10/1984	Hyans, T.	
		US-5,001,009	03/19/1991	Whitbourne et al.	
		US-5,084,022	01/28/1992	Claude, T.	
		US-5,238,004	08/24/1993	Sahatjian et al.	
		US-5,331,027	07/19/1994	Whitbourne et al.	
		US-5,427,831	06/27/1995	Stevens, R.	
		US-5,772,609	06/30/1998	Nguyen et al.	
		US-6,059,738	05/09/2000	Stoltze et al.	
		US-6,139,510	10/31/2000	Palermo, T.	
		US-6,159,187	12/12/2000	Park et al.	
		US-6,203,505 B1	03/20/2001	Jalisi et al.	
		US-6,569,107 B2	05/27/2003	Jalisi et al.	
		US-2001/0003146 A1	06/07/2001	Jalisi et al.	
		US-2004/0167442 A1	08/26/2004	Shireman et al.	
		US-2004/0167443 A1	08/26/2004	Shireman et al.	
		US-2005/0027214 A1	02/03/2005	Murayama et al.	
		US-2005/0054952 A1	03/10/2005	Eskuri et al.	
		US-2005/0145307 A1	07/07/2005	Shireman et al.	
		US-2005/0232965 A1	10/20/2005	Falotico, R.	
		US-2006/0047224 A1	03/02/2006	Grandfield, R.	
		US-2006/0073264 A1	04/06/2006	Sakane et al.	
		US			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		WO 00/74565	12/14/2000	Wilson-Cook Medical Inc.		<input type="checkbox"/>

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

#431355

Substitute for form 1449A/PTO

*(Use as many sheets as necessary)*

Attorney Docket No.	3010-1091
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□



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□

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☐☐☐☐☐☐

**Considered**

<sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.